

1901-021 Chancery Causes: John Collier & vs. R. J. Wood &
Lee Co.

Salley, Roop, Skidmore, Pennington, Moneyhun, Bolin, Wynn,
Shelburn, Sally

2 Plats

CA - Estate Dispute
T - Property

Will: 1899 : Maston Collier : Lee County

-Deed

To the Hon. H. A. W. Skeen, Judge of the Circuit Court for Lee
County Virginia:-

Humbly complaining, your petitioners, Catherine Collier
John Collier and Wright Collier would respectfully represent

who at the time of his death was a resident of this county
and show unto your honor that on the 25th day of Sept. 1899,
Mastin Collier departed this life, testate, having made a will

in which he made his children, R. J. Wood, Harriett V. Salley,
Emily Roop, Sarah Collier, Mary Skidmore, (named in the will as
Mary Roop, who since the date of the said will has intermarried
with one Skidmore) and your petitioners John Collier and
Wright Collier are made the beneficiaries. Your petitioner
the said Catherine Collier was at the date of the making
of the said will and at the date of the demise of the said
Mastin Collier his wife, and as will be seen from a copy of
the said will, which has been probated by the county court
for Lee County at the October term thereof, 1899, which said
copy is here filed as part of this bill, the said Catherine
Collier is not mentioned as one of the beneficiaries of the
said will, because the said decedent was advised upon the

(§ 25-59) preparation of the said will that if she were not mentioned
or no provision made for her in the will
therein, she would be entitled to the same distribution as if
he should die intestate. Your petitioners will also represent
and show unto your honor that the said decedent by his said
Will divided his estate both real and personal, to which he
was entitled at the date of his demise, among the said ben-
eficiaries herein before mentioned equally, but having advanced
R. J. Wood a certain sum of money; and Emily Roop a certain sum
of money, and Mary Roop a certain sum of money and Harriett V.
Salley a certain sum of money, the said decedent directed that
interest be counted on the said several sums from the dates

mentioned in said will to the date of the death of the said decedent, and to be charged to them as advancements. Your petitioners also allege that said beneficiaries last aforesaid has received from the said decedent in his life time and since the date of the will certain other moneys, for which as your petitioners are informed the said beneficiaries have executed their several notes. Your petitioner will further represent and show unto your honor that at the date of the death of the said decedent he was the owner of a considerable real and personal estate, the personal estate consisting mainly in choses in action, but some personal property, amounting in the aggregate, including the advances mentioned as aforesaid to about the sum of Six thousand Dollars, and the real estate consisting of two farms lying east of Jonesville about 4 miles and containing about 700 acres, and worth some \$6000.00 As will be seen from the said will herewith filed as an exhibit there is charged to the said R.J. Wood the sum of \$1150.00 with interest thereon from the 1st day of Sept, 1893 to the date of the death of the said decedent, and to Emily Roop the sum of \$200.00 with interest thereon from 1st day of Jan. 1895 till the date of the death of the said decedent, and to Mary Roop the sum of \$310.00, with interest thereon from the 1st day of January, 1895 till the date of the death of the said decedent, and to Harriett V. Salley the sum of \$750.00 with interest thereon from the 3rd day of December, 1887 till the date of the death of the said decedent. If therefore the estimate of your petitioner is right in placing the personal fund at \$6000.00, after one third thereof is paid to your petitioner Catherine Collier, there will only remain the sum of

\$4,000.00 to be equally distributed among the seven beneficiaries of the said will, which would not be sufficient to give each an equal portion of the personal property, when from this sum is deducted the amount of the said advancements. Your petitioners are not therefore advised whether or not the parties to whom said advancements have been made shall pay back to the estate the amount sufficient to make an equalization or whether the whole estate both real and personal shall be valued and divided according to the interest of each, making no discrimination between personalty and the realty.

Your petitioner will also represent and show unto your honor that by the said Will Robert L. Pennington was appointed executor thereof, who had duly qualified as such and taken charge of the said personal estate, letters of administration having been granted to him by the County Court for Lee County.

Your petitioners will also represent and show unto your honor that the said Sarah Collier is a of unsound mind, being totally incapable of understanding or attending to her own matters of finance, and your petitioners are advised that she should have a guardian ad litem appointed for her to defend her in this suit and represent her interest.

The premises considered your orators are advised that they have a right to maintain this suit in chancery, that it is the peculiar province of courts of chancery, to construe wills and partition lands owned in co-partnership or joint tenancy, to settle the accounts of executors, and other fiduciaries.

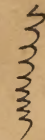
The prayer therefore of your petitioners is that the said R.J. Wood, Emily Roop, Harriett V. Salley, Mary Skidmore,

Sarah Collier, Robert L. Pennington Executor &c., be made parties defendant to this bill of complaint, and that they each be required to answer the same but not under oath that being specially waived, that a guardian ad litem be appointed to defend the said Sarah Collier, non Compos mentis, the assets of the estate be marshalled and the personal estate ascertained, that at the proper stage when the interest of each of the said beneficiaries has been ascertained and the said will construed, Commissioners be appointed and directed to lay off and assign to the said Complainant, Catherine Collier Dower in the said lands as aforesaid, and the remainder partitioned among the said beneficiaries according to their respective interest as shall have been determined according to the judgement of the court. And may all other further and general relief be granted your petitioners as the nature of their cause may require. And they will ever pray &c.

Runyon Bros.

P.Q.

John Kuller et al. Compl

v.s.  Bill In Chancery

R. J. Hord et al. Defts

1899. 2nd October ruled bill
filed. Sp. accepted D. M.

" 1st November ruled bill
the last Monday in Oc-
tober D. M. could cause
set for hearing

E. W. PENNINGTON.

ROBT. L. PENNINGTON.

Pennington Bros.

ATTORNEYS AT LAW.

JONESVILLE AND PENNINGTON GARVA.

To The Hon.H.A.WISKEEN,Judge of the Circuit court for Lee County;

The answe of R.J.Wood to a bill in chancery filed in this court against her and others by John Collier and others,seeking a partition of the lands of Mastin Collier deceased and a construction of his will,which is a friendly suit,brought by consent of all the parties interested,and for the purpose of settling the rights in the matters brought to the attention of the court,answering she would say,as well as in answe to the answe of R.L.Pennington,whose answer in part is asked as to her and some others be treated as a cross bill.as follows; That she admits all the allegations contained in the plaintiffs bill so far as known to her to be true,and not resisting the division of the real estate therein set out,but asking that same be done,and asking also for a fair and equitable construction of the said will,in answer to said answer of R.L.Pennington Exr., in so far as it is treated as a cross bill against your respondent, answering she says:

That the said will does charge her with the sum of \$1150.00 as of Sept.1,1899,and that your respondent had executed to the said decedent the said note of 1162.72, as of the date alleged,but your respondent avers and will show unto your honor that the sum charged in the will was intended by the said decedent to be the same sum as that represented by the said note,and in fact she says this sum as represented by the said note is all that her father the said decedent ever let her have for any purpose,and the mistake must have been made,as your respondent alleges it was made by the said decedent in drafting the said will.speaking only from his memory in regard thereto without having reference to the paper.and all this she is ready to show unto your honor by proof thereof. And now having fully answered the said bill and cross bill,your respondent prays that the subject matter of this suit be equitably settled between the parties interested,and she will ever pray &c.

Rebecca J. Wood

R.J.Wood, et al Defts,

ads: Ans.R.J.Wood.

John Collier, et al. Deffs.

Filed in open Court and
by leave thereof Nov
16th 1899.

A.B. Munsey Clerk

To The Hon. H. A. W. Skeen, Judge of the circuit court for Lee Co;

The separate answer of Robert L. Pennington to a bill filed in your honorable court by John Collier, et al, COMPL. against your respondent, as the Executor of Mastin Collier's last will and testament, and other defendants, and for answer thereto or so much thereof as he deems it necessary that he should answer, answering he says:

That it is true that he is the Executor as set out in the said bill of the said decedents estate, and that he has qualified as such in the count court for Lee county and given the required bond, and taken charge of the personal property belonging to the said decedent, most of which consists in choses in action, and as your respondent has not as yet demanded of the parties by whom is owing the said choses in action a settlement, your respondent is not at this time prepared to answer or estimate the probable amount of personal fund that will come to his hands, because it is probable that some of the said obligations can not be collected, while against others there may be valid off sets. Your respondent took charge of a small personal estate and sold the same but as much of it consisted of corn which was sold by the measure, and as yet has not been measured and settled for by the purchasers, it is also impossible for him to give exact figures in respect thereto, though, estimating the matter, your respondent places it at something like \$550.

Now it is true that in the said will certain of the beneficiaries were charged with certain advancements, some of whom are charged with more than their

with more than their pro-rata share of the personal fund that will come to your respondent's hands, and in the construction of the said will your respondent calls upon the court to construe the said will and say whether your respondent shall collect back from said beneficiaries so advanced enough to equalize them all, or shall these advancements of personal estate be considered and taken into consideration in making a division of the real estate.

Your respondent for his own protection and to do equity between the several beneficiaries desires to answer and bring before the court in the adjudication of the questions that shall arise in the construction of the said will, certain matters which your respondents has conceived to be inconsistencies or mistakes. Your respondent is advised that for all the advances charged in the said will the said decedent had taken the notes of the several parties advanced except Harriet V. Sally, but the notes found in the possession of the decedent at the date of his death does not exactly correspond with the sums charged in the will, and apparently it would have the effect of charging those several beneficiaries twice with the same fund; for as will appear in the will R. J. Wood is charged with the sum of \$1150.00 as of Sept. 1st, 1895, and in the decedent's papers is found no note of this kind or date, but one for the sum of \$1168.72 dated the 5th day of Aug, 1895. Your respondent believes this note to be the same sum as that charged in the will. There is charged in the will to Emily Roop the sum of

\$200.00, as of the first day of Jan'y, 1895, But your respondent does not find any notes against her but against her husband ~~xxxxxxx~~ W.C. Roop, he finds several notes, three in all, aggregating about that sum, interest counted to the date there referred to in the will, but whether this is the sum referred to your respondent is not advised. There is also charged in the said will to Mary Roop, now Mary Skidmore, the sum \$310.00, as of Jan'y 1, 1895, but your respondent does not find any notes at all previous to the date of the will signed by Mary Roop, but he finds several notes signed by the husband of the said Mary Roop, Asa G. Roop, which about aggregate that sum with interest counted down to the date referred to in the will. Asa G. Roop is now dead. In order therefore to make an equitable settlement of these matters, your respondent deems it advisable to ask that this part of his answer be treated as a cross as to bill ~~xxxx~~ the said R.J. Wood, Mary A Skidmore, and Emily Roop, and that they be required to answer how these things may be, and that upon a hearing thereof a decree be rendered directing how settlement on the said matters shall be made. ~~xxxx~~ Any equity be done between all the parties named and omitted, and he will ever serve &c.

John H. Pennington

R. J. ... et al. ...

... of R. J. ...

John ...

Filed in open Court
and by leave thereof
Nov 16th 1899

A. B. Munsiey Clerk

To the Honorable H.A.W.Skeen, Judge of the Circuit
Court of Lee County, Virginia:

The separate answer of Emily Poop to a bill exhibited against her in this Honorable Court by Catherine Collier, John Collier and Wright Collier.

Respondent saving the benefit of all proper exceptions to the said bill and answering the same as fully as she is advised that it is material or necessary for her to answer, says:

That it is true that said Mastin Collier departed this life on the 26th day of September, 1899; that before his death ^{he} made and published his last will and testament by which he devised and bequeathed all of his ~~personal~~ estate both personal and real; it is true that he made no provision for his widow, who survives him, and it is equally true, as your respondent is advised that the law makes provisions for the widow where the will does not; and the bill correctly states that this provision made by law is exactly what the widow would have been entitled to if no will had been made.

Your respondent is advised that an examination of said will shows very clearly that it was the intention of said testator to make his six children equal one with another, and it is further true that it was the intention of the testator to devise and bequeath to his ~~grand~~ grand-son Wright Collier an amount equal to each one of his children, thus dividing the estate on hand at the time of the testators death, both real and personal, plus the advancements, into seven equal parts.

It is likewise true as your respondent is advised that some of said devisees have since the date of said will received from their father certain other moneys for which they have executed their several notes. These sums thus due from said devisees cannot as your respondent is advised be treated as advancements, but they must be treated as personal property which can be used for the purpose of equalizing said several devisees. It is further true as respondent is advised that the said testator left at his death quite a large personal estate, consisting principally of notes, bonds and accounts, a large part of which, they are advised, are solvent and quite a large amount insolvent.

Exactly what said personal estate will be worth after payment of debts funeral expenses and charges of administration, respondent does not know, nor does she know the value of said real estate. Respondent admits that complainant Catherine Collier is entitle to have dower assigned to her; and that complainants John Collier and Wright Collier are entitled to have said estate both real and personal partitioned, in which prayer for partition and distribution your respondent joins; and she is advised that as a pre-requisite to a correct partition and distribution of the same that it is necessary to ascertain, 1st, the exact value or amount of the advancements made by the testator in his life time to his three daughters, on the day of his death, 2nd, to ascertain the value of the personal estate, 3rd, to ascertain the indebtedness of said testator, and, 4th, to ascertain the value of the real estate left by said decedent, 5th, to ascertain the value of the dower of the widow in said land, and 6th, to ascertain what the share of each of said devisees will be worth, the amounts advanced to them or either of them and the sum necessary if anything to be paid back by any devisee who has been advanced, and 7th, to ascertain what each or any devisee is indebted to said estate. To this end ~~they~~ she prays that a commissioner may be appointed and required to make the inquiry above suggested.

And now having ~~fully~~ answered said bill as fully as she deems it material to answer the same she prays to be hence dismissed.

L. T. Duncan for
Respondent.

R. J. Wood et al
Ads. { Answer of
Emily Rook.
John Collier et al

Filed in open Court
and by leave thereof
Novr 17th 1899,
A B Munsey Clerk

To the Honorable H.A.W.Skeen, Judge of the Circuit Court for Lee County, Virginia:

The separate answer of Sarah Collier, a non compos mentis, by L.T.Hyatt, her guardian ad litem, assigned to defend her in this suit, to a bill ~~of~~ of complaint exhibited against her and others in said court by John Collier and others.

Respondent, reserving to herself the benefit of all just exertions to the said bill, for answer thereto, or so much thereof as she is advised it is material she should answer, by her said guardian ad litem, answers and says:

That by reason of her want of mind, she is incapable of understanding or of taking care of her rights and interests. She therefore, by her said guardian ad litem, commends herself and her rights and interests to the protection of the court, and prays that no decree may be pronounced which will tend to ~~the~~ prejudice.

And now having fully answered, the said respondent prays to be hence dismissed with her reasonable costs in this behalf expended, and she will ever prays &c.

L.T. Hyatt, Guardian ad litem
for Sarah Collier.

Virginia, Lee county, to wit:

I, A.B.Munsey, Clerk of the circuit court for said county, do certify that L.T.Hyatt, guardian ad litem for Sarah Collier, whose answer is above written, this day personally appeared before me in my office, and made oath that the statements contained in the said answer, so far as made from his own knowledge, are true, and so far as made from information derived from other sources, said statements are believed to be true.

Given under my hand this 28th day of October, 1899.

A.B. Munsey Clerk.

John Collier et al.

vs. $\frac{3}{2}$ Ice Chy.

Emily Roop et al.

Answer of Sa-
rah Collier, by Guar-
dian ad litem.

Filed 2nd Oct rules
A B Munsey Clerk

G. A. L. fee \$5.00

John Collier Compt.

^{vs.} R. L. Wood ^{et al} ~~vs~~ Defts } In Chancery

This cause came on this the 6th day of March, 1901, to be heard upon the papers formerly read therein, the report of Comrs. L. M. Leavie, H. C. Jolyon, J. P. ~~Shults~~ and S. H. Polier and plat filed therewith, filed herein on Feb. 12th 1901, and was argued by counsel: On consideration of all which and said report and plat of the partition of the lands mentioned in said cause being excepted to, it is adjudged, ordered and decreed that said report and plat of said partition be and the same is hereby confirmed, and that Mary A. Skidmore take and hold lot No. one shown in the plat and report of said Commissioners; that John Collier take and hold lots No. ^{and six} two, shown in the said plat and report; that Harriet V. Sully take and hold lot No. three shown and set out in said plat and report; that

Emily Roop take and hold lot
No. four as shown and set out
in said plat and report; that
Sarah Collins take and ~~lot~~ hold
lot No. five as shown and set
out in said report and plat;
that Mrs. Rebecca J. Thood
take and hold lots No. seven
and eight as shown and set
out in said report and plat,
and that Stright Collins
take and hold lot No. nine
as shown and set out in said
plat and report. And the
clerk of this court will trans-
mit to the clerk of the County
Court of this county copies
of the decrees in this cause
appointing said commissioners
and to partition said land, to-
gether with said report and
plat and this order confirming
said report and plat to be
recorded by the clerk of
the county court in a proper
and book. And it is further
adjudged, ordered and decreed
that the clerk of this court
will tax all the costs of

this suit together with the
costs attending said partition
and ~~costs~~ costs of recording
the same in the County Court
clerk's office of this County,
and that Mary A. Skidmore
pay one-seventh of the same,
John Collins one-seventh of
the same, Harriet V. Sally
one-seventh of the same;
Emily Rapp one-seventh
of the same; that Sarah
Collins pay one-seventh of
the same, that Rebecca J.
Hoad pay one-seventh of
the same, and that Wright
Collins pay one-seventh of
the same, and the Clerk on
the application of any one
interested in said costs, may
issue a fieri facias in
the name of the officers of
court against ^{any one of} said parties failing
to pay his or her one-seventh
of said costs. And this Cause
is ~~stricken from the docket~~ ^{is} ~~is~~ ^{is}
stricken from the docket.

John Collins

vs. } Deane
 } Finales

R. J. Wood et al

Entered on Chy O.B.

No 6 Page 497

Recorded in D.B.

34 page 300-27.

Enter this

March 1901

Hawley

642.64
to the Court that said R. J. Wood, & H. V. Sally's advancement is more than their share of the personal assets that they shall take no more personal property, and it appearing to the Court that an equal share of the other beneficiaries including the account any may have received, is, as appears from said statement filed, \$642.64 & that said R. J. Wood has received in excess of that amount the sum of \$809.00, & that Harriet V. Sally has received in excess of that amount the sum of \$638.98, and it appearing to the Court that the value of said real estate amounts to the sum of \$6000, & that the said Sally & Wood have received \$638.98 & \$809.00 more than share of the personal estate, then said sums should be added to the value of said real estate & the sum thereof, to wit: the sum of \$7447.98, divided by 7, which gives the sum of \$1063.99 to the share, & that John Collins, Night Collins, Sarah Collins, Emily Rook & Mary A. Skidmore be entitled to a free share of \$1063.99 of value in said real estate, & that R. J. Wood is entitled to the value of the difference

between the sum of \$1063.99 - 809 - which
is \$254.99 in value of said real
estate, & that Harriet V. Sallee is
entitled to the difference in the sum
of 1063.99 - 638.98 which is \$425.01
in value of said real estate; it is
therefore, adjudged, ordered & decreed that
L. M. Carnicelli, H. C. Jordan, J. P. Shel-
burne & H. Poling, who are hereby
appointed Special Commrs. for the
purpose, any three of whom may
act, shall go upon the lands in
the bills & proceedings mentioned
& taking the value of the lands at
\$6000 00, shall lay off and assign
in value thereof \$1063.99 to Wright
Collins, John Collins, Sarah Collins, Emily
Roope, Mary A. Skidmore, each, & to
R. J. Wood \$254.99, in value thereof
& ~~to~~ Harriet V. Sallee \$425.01 in value
thereof. And it appearing to the
Court that R. J. Wood and Mary A.
Skidmore have other land adjoining the
said Collins lands, the said Commrs
will lay off their share to them,
if practicable, adjoining their other
said lands. And it is further ad-
judged ordered and decreed that
said Commrs. go upon said lands

& make said partition as soon as practicable
& return their report thereon.

And it appearing to the Court that
there has been instituted suit in
this Court for recovery against
the said Estate of Justice Collier it
is ordered that the said Executor
take from the beneficiaries under
the will of said Collier refunding
bonds for the amount so paid
therein. & this Court is continued.

John Collier & Co

vs E. A. W. Shum

R. J. Woods et al.

Entered on O.D. No 6 P 426.

Enter this Nov 7,

1900.

H. A. W. Shum

John Collier, et al,

Complainants,

vs:-

In Chancery,

R.J.Wood, et al.

Defendants.

This cause came on this day to be heard upon the ~~xxxxxxix~~ papers formerly read therein and the motion of counsel for the complainant for a recommitment of the commissioners report of M.G.Ely filed herein; and was argued by counsel:-

upon consideration of all which it is adjudged ordered and decreed that M.G.Ely, the sepcial commissioner herein before appointed make and and report furthur to the next term of the court the net assetts that will be coming or has come into the hands of R.L.Pennington Executor of the will of Mastion collier, and the amount to which each of the devisees under said will, will be entitled to, out of the personal property. And said commissioner will also report any other matter deemed pertinet to himself or specially required to do so by any party in interest. Said commissioner will delay the taking of said account untill after the 1st of October, so as to give said executor Pennington as much time as possible to get together the assets of said estate in cash. And this cause is continued.

John Leavitt Eel

vs. $\frac{3}{4}$ Decree

R. J. Wood & Co

En- on O. B. No 6
to 419

En- on O. B. No 6

H. A. W. Shum

June 15 1911

John Collier, et al.,

Complainants,

Vs.

In Chancery,

R.T. Wood, et al.,

Defendants.
~~et al.~~

This cause came on again this day to be heard upon the motion of the complainants to have set aside the order of continuance heretofore entered in this cause, and for reasons appearing to the court the said order of continuance is hereby set aside, and this cause coming on this day to be again heard upon the papers formerly read therein, and was argued by counsel; upon consideration of all which and for reasons appearing to the court, it is adjudged, ordered and decreed that L.M. Carmichael, H.C. Joslyn, J.P. Shelbourn, D.G. Hall and S.H. Toling, who are hereby appointed special commissioners *Any three of whom may act.* for the purpose, will, between this date and the 15th day of January 1900, go upon the lands of Martin Collier deceased and take off and assign to Catherine Collier, his widow, her dower interest in the lands owned by the said decedent, of one third in ^{value} thereof, and return their report thereon to the office of the clerk of this court by the 15th day of Jan. 1900. And this case is concluded

John Leach it ac

24. 3/4 dunes

R. J. Wood. it ac

Entered on Chy & B.
No 6 P. 344.

Entered this

Nov. 18, 1844

Hawthorn

John Collier, Wright Collier,
and Catherine Collier, - - - Complainants
vs. & In Chancery-

R. J. Wood, Emily Cook,
Marriett D. Sallee, Mary A
Skidmore, Sarah Collier
and Robt A. Pennington
Exors of the last will of
Marthe Collier - - - Defendants.

This cause came all this day to be heard upon
the bill of the complainants & exhibits filed
therewith & the answer of R. J. Wood appointed
at Rules as guardian ad litem for Sarah
Collier who files his answer for her
in this cause at rules, and the ^{separate} answer
of Robt A. Pennington & separate answer
of R. J. Wood, & the separate answer of
Emily Cook, & general replication thereto, & it
appearing to the court that the other defendants
have been duly served with process, this
bill as to them is, to them for confessed,
and was agreed by counsel, Upon
consideration of all which & for reasons
appearing to the court ~~M. G. Ely~~ it
is adjudged ordered and decreed that
M. G. Ely who is hereby appointed a
Special Commissioner for the purpose
will after the 15th day of January 1900, proceed
to ascertain any and all advancements
made to any of the beneficiaries under the
will of Marthe Collier; 2nd He will ascertain

the value of all the personal estate of the
said Martin Collier Decedent, subject to
distribution under said will; 3rd all
indebtedness of the said decedent; 4th
The Value of all his the said Decedent's real
estate, 5th To ascertain any indebtedness due
by any one of the Decedent's. 6th He will
ascertain to what sum of each of the devisors
will be entitled to each of the ~~pro~~ assets of
the Personal estate & what share in value
of the real estate, 7th He will ascertain
the value of the dower of the widow,
& report his actions hereunder at the next
term. ~~And this case is carried with any~~
evidence upon which his report is based
as well as any other matter that may
be deemed pertinent by himself as well
as any thing required by any one
in interest pertinent to the issues of
this cause. And the said Robt L. Thompson
is hereby directed to demand of those against
whom he holds claims for the said
estate settlement of this debt ~~but the estate~~
so as to have answer thereto by the
15th day of Jan'y. 1900 for said Court.
And this case is continued.

Johu Keller & Co

as Secre

R. J. Wood & Co

Entered on Chy
O. B. Nov. P. 333
+ 334.

Enter this Nov

17. 1899

H. A. W. Stone

Virginia

At a circuit Court continued and held
for Lee County at the Court-house thereof
on Friday November the 17th 1899.
John Collier, Wright Collier and Catherine Collier
Complainants

vs

R. J. Wood, Emily Roof, Harriet O Sally
Mary A Skidmore Sarah Collier &
R. L. Pennington Exr of the last will
and testament of Martin Collier Defendants

In
Chancery

This Cause came on this day to be
heard upon the bill of the Complainants
& exhibits filed therewith & the answer of L. J.
Hyatt appointed at rules as guardian ad li-
tem for Sarah Collier who files his an-
swer for her in this Cause at rules and
the ^{separate answer of R. L. Pennington and} separate answer of R. J. Wood & the sep-
arate answer of Emily Roof & general rep-
lication thereto, and it appearing to the Court
that the other defendants have been duly served
with process, this bill is taken for confessed,
and was argued Counsel. Upon consideration
of all which & for reasons appearing to the Court
it is adjudged ordered and decreed that M. S. Ely
who is hereby appointed a special Commis-
sioner for the purpose will after the 15th day
of January 1900, proceed 1st to ascertain any
and all advancements made to any of the
beneficiaries under the will of Martin Collier
2nd: He will ascertain the Value of all the
personal estate of said Martin Collier deceased

Subject to distribution under said will;
3rd. All indebtedness of said decedent;
4th.. The Value of all his the said decedent's
real estate. 5th. To ascertain the indebtedness
by any of the devisees to said decedent;
6th. He will ascertain to what sum each of
the devisees will be entitled ^{to} out of the assets
of the personal estate and what share in
Value of the real estate. 7th: He will ascer-
tain the Value of the dower of the widow &
report his action hereunder at the next term
with any evidence upon which his report
is based, as well as any other matter that
may be deemed pertinent by himself, as
well as anything required by any one in
interest pertinent to the issues in this Cause

And the said Robt L Pennington is hereby
directed to demand of those against whom
he holds claims for the said estate Settlement
of their debts on the estate so as to have an-
swer thereon by the 15th day of Jan'y 1900, for
said Court. And this Cause is Continued.

A copy

Teste: A B Mursey Clerk

"Notice"

All persons interested in the above
styled Cause and decree, will Take ^{notice} that
on the 5th day of Feb, 1900. I will proceed
to perform the duties required of me
by the above decree, My sitting will be
at the Law office of R. L. Pennington in the
town of Jonsville Va. This Jan. 25, 1900-
M. G. Ely
Commissioner

352.92
 287.13
 1401.49
1221.03
 2343.05

150
 32
 64
210
 494
171

531106
311515
 4855.91
7.50
 4255.41

3898
162
 4036.00

6000
745.00
 5255.00
27.09
 5282.09
1343.10
 197

13824.10
500
 7/13334.10
 19041.87

15.02
8.17
 10.40
 10.20
 111.97
 41.02
100.7
 50
12.14

4.50.13
208
 257.13

Virginia

At a circuit Court continued and held
for Lee County at the Court-house thereof on
Saturday November the 18th 1899.

John Collier et al, complainants

vs

R. J. Wood et als Defendants

} In Chancery

This Cause came on again this day
to be heard upon the Motion of the Complain-
ants to have set aside the order of Continuance
heretofore ordered in this Cause, and for rea-
sons appearing to the Court the said order
of Continuance is hereby set aside, and this
Cause coming on this day to be again heard
upon the papers formerly read therein, and
was argued by Counsel; Upon Consideration
of all which and for reasons appearing to
the Court it is adjudged Ordered and decreed
that L. M. Carmichael, H. C. Joslyn, J. P.
Shelburn, D. D. Hall and S. H. Bowling
who are hereby appointed Special Com-
missioners for the purpose any three of
whom may act, will between this date
and the 15th day of January 1900, go upon
the lands of Martin Collier deceased, and
lay off and assign to Catherine Collier his
widow her dower interest in the lands

John Collier et al
vs
Copies of Deceit
R. J. Wood et al

Copies for L. M. Carmichael
H. C. Joslyn, D. D. Hall
J. P. Shelburne & S. H. Bolin

Executed by delivering an
office copy of the within
Deceit to L. M. Carmichael
H. C. Joslyn, D. D. Hall
J. P. Shelburne & S. H. Bolin
this the 9th day of Dec
1899.

W. J. McLeham Secy

owned by said decedent, of one third in
rental value thereof, and return their report
thereon to the office of the Clerk of this Court
by the 15th day of January 1900. And this
Cause is continued.

A Copy

Teste: A. B. Munsey Clerk

1

The Deposition of Mary A. Skidmore, and others taken before me
M.G. Ely, Special Commissioner in the Chancery cause of John
Collier, et al vs. R.J. Wood and others, to be read as evidence
in the behalf of the said Mary A. Skidmore. At the law office of
R.L. Pennington in the town of Jonesville on the 6th day of Feby.

Present, R.L. Pennington for himself and R.J. Wood and ~~Robert A.~~
1900. Skidmore. C.T. Duncan for Emily Roop, and J.W. Orr for Harriett
Salley, and L.T. Hyatt, guardian ad litem for Sarah Collier.
Mary A. Skidmore, witness of lawful age being duly sworn deposes and
says.

Ques. 1. State if you are the same person as that described in the
will of Mastin Collier as Mary Roop.

Ans. at the date of the Will I was Mary Roop, I have since that
time married Mr. Skidmore, my first husband, Asa G. Roop having
died. I am the same person as that described in the will as Mary
Roop, and I am the daughter of Mastin Collier, and one of the
devisees under his will.

Ques. In the said will we notice there is charged to you an
advancement of \$310.00, state whether or not this is the same money
for which your former husband executed 3 notes, and which were
found in the possession of the said Collier at the date of his death
and described as follows, one dated Jan. 5, 1894, \$60., one dated Oct.
23, 1894, for \$121.48, and one dated Feby. 26, 1895, for \$90.36, and is not
this the same amount, or intended to be the same that was charged to
you by said Will.

Ans. The said notes are the same as that that was charged to me in
the will, the money was gotten by my former husband and he executed
the notes for the money. This was all the money that I have ever
received from my father in his life time, and this money was
not gotten directly for my benefit but it was gotten from my father
for my son John for the purposes of educating him for a physician.

And further this witness saith not.

R.L.Pennington another witness being duly sworn deposes and says:

Ques, AS Executor of the last will and Testament of Maston Collier

Dec. Have you made an estimate and calculation of the solvent notes and accounts belonging to said estate? If so, please state what they will amount to, and file said ^{Statement} as a part of your deposition marked "A" "B" "C"?

Ans, I have made a calculation and estimate of all the debts that came into my hands as Executor, which I can reasonably calculate upon as being solvent, which calculation and estimate, ~~and~~ includes interest counted to Sept '26th' 1899, the date of the death of Maston Collier. The total sum as shown by said statement, which I have filed marked as requested, is \$8297.06 including the sale bill.

Ques, Does this statement include or rather embrace what you understood to be the advancements made by Mr. Collier in his life time to certain of his children, and mentioned and set out by him in his will?

A.-- As I understand the intention of the will I believe that it does, though there are some differences between the figures made on the notes that was found in the possession of Mr. Collier and the amounts set out in the will. When this will was prepared Mr. Collier sent for myself and Mr. Richmond to come to his house. When we went, he told us the object for which he had asked us to come and asked me to prepare his will. In the preparation of the will he told me that he had made advancements to certain of his children. He did not, however, explain that he held any notes for the amounts which he was charging them by way of advancements, and he referred to no papers or notes to refresh his memory and spoke only from his recollection. These differences and discrepancies that seem to appear in my opinion arise out of the fact that Mr. Collier only approximated the amount due by each and did not intend to charge them with the amounts set out in his will as well as as the amounts for which he held their notes for he said that it was his intention to divide his estate equally between his children and his grand-son Wright Collier whom he said had been living with him for several years. As executor of the estate, I

have talked with all of the devisees under the will and they seem to all concede that this is the proper construction of the wills' intention.

Ques.-- I notice that by said will the testator charges his daughter Emily Roop with the sum of \$200.00 as of the 1st day of January, 1895, please state what you have ascertained to be the ~~am~~ amount principal and interest of the notes of Emily Roop's husband which were executed to Mr. Collier before the date of said will?

A.-- I have ascertained the amount to be, down to September, 26th 1899, the sum of \$257.13.

Ques.-- I notice also that said will charges his daughter Harriet B. Sally with sum of \$750.00, as of December 3rd, 1887, what did you ascertain the same to amount to on the same date, Sept. 26th, 1899.

A.-- I ascertain said sum to be \$1281.62, and I also find that the said Harriet B. Sally has since the date of said will, executed two notes to her father, which with interest calculated down to the same time aggregate the sum of \$190.35, I also find that L.C. Roop ~~since the date of said will~~ husband of Emily Roop, has since the date of said will got from Mr. Collier the sum of ~~\$\$\$~~ \$208.00. The will charges Mary Roop, now Mary Skidmore, with \$310.00 as of the 1st day of January, 1895, the notes of her former husband, Asa G. Roop on the date of Mr. Collier's death amounted, principal and interest to the sum of \$352.92, since the date of said will Mrs. Skidmore has received, principal and interest, \$50.25. Mrs. Wood is charged by said will, with \$1150.00 on the 1st day of September, 1899, and the amount which she had received prior to the date of said will, with interest counted down to the date thereof amounts to the sum of \$1451.48. The firm of R.J. Wood & son, Mrs. R.J. Wood of said firm being the said Collier's daughter, has received from Mr. Collier money at three different times, the principal and interest of which aggregated \$502.54 on the day of Mr. Collier's death. I find no evidences of debt against John Collier and Wright Collier and there are no advancements to charge against them.

#

And further this deponent saith not.

Robert Pennington

M.C. Moneyhun, another witness of lawful age being first duly sworn deposes as follows:

Q.1.-- State your age, occupation and residence.

A.-- 59 years old, am a farmer and live near Jonesville an adjoining farm to Maston Collier.

Q.2.-- State whether or not you are acquainted with the lands owned by Maston Collier at the date of his death and if so what do you consider the land reasonably worth per acre on the average.

A.-- Some of the land I have not actually seen, but I have a general idea of the character of the land, having been over a large portion of the land, and passed road frequently that runs through the farm. From what I know of the land I think that it would be worth at least on the average the sum of \$10.00 per acre. Perhaps if I were to look over the land I might raise that figure.

Q.3.-- How long have you been living where you now live, and how long have you been acquainted with this land.

A.-- I have lived there for 25 years and have been acquainted with the land for that time.

And further this deponent saith not.

M.C. Moneyhun

W.P. Wood another witness of lawful age being duly sworn deposes as follows:

Q.1.-- State your age, residence, occupation and relationship to the devisee R.J. Wood?

A.-- 46 years old, residence Pridemore, farmer and merchant, husband of R.J. Wood.

Q.2.-- State whether or not you are acquainted with the lands formerly owned by Maston Collier deceased at the time of his death?

~~A.--~~

5-

A.-- I am, have been acquainted with it all of my life.

Q.3.-- State what you would consider a fair value per acre of the entire farm, taking it on the average, I mean the fair market value?

A.-- From what I know of the land I couldn't possibly put it under \$10.00 per acre.

Q.4.-- We notice in the will of Maston Collier, that he charges to your wife Rebecca J. Wood an advancement of the sum of \$1150.00 on the 1st day of September 1895. We find that there is a note for the sum of \$1162.72 dated the 5th day of August 1895 signed by your wife, please state whether you know the debt represented by the said note was the same sum as that charged in the will or intended to be?

A.-- It must have been. I know that sum is the only money my wife ever got from her father prior to the date of his will. The amounts represented by note executed by members of the family to Mr. Collier prior to the date of the will has been generally understood by the family to be the advancements charged in the will.

Q.5.-- State if you know, the age of Mrs. Katherine Collier?

A.-- I understand her age to 80.

And further this deponent saith not.

wt 50-

W. P. Wood

Mrs. Emily Roop another witness of lawful age being duly sworn deposes as follows:

Q.1.-- State your mothers age as nearly as you can.

A.-- She is about 80 years old.

Q.2.-- I notice in the will of your father Maston Collier that he charges you with an advancement of \$200.00 as of January the 1st 1895. The will is dated the 3rd day of February 1896. We find that prior to the date of the will there were four notes executed by your husband L.C. Roop. We will ask you to state if the money represented by these notes executed by your husband is not all the money which you and your family

6

money which your family and you had received from your father up to that date?

A.-- The notes executed by my husband as aforesaid represents all the money that me or my family received from my father previous to the date of his said will, and the sum represented by those notes must have been the amount intended to have been charged to me in a said will.

And further this deponent saith not.

Emily ^{her} ~~husband~~ Roof

S.H.Bolin another witness of lawful age being duly sworn deposes and says:

Q.1.-- State your age, occupation and place of residence?

A.-- 50 years old, occupation farmer, near Ben Hur Va. and within about a mile and half from the Collier land. I have lived there since 1862.

Q.2.-- Are you acquainted with the Maston Collier land and if so how long have you known it?

A.-- I am acquainted with, have been over it several times. I have known it since 1862.

Q.3.-- Were you one of the commissioner who laid off and assigned the widow's dower in said land.

A.-- I was.

Q.4.-- What would you consider the fair market value of said land per acre?

A.-- I think \$10.00 per acre.

XX

And further this deponent saith not.

with, 500 to

Paid

By A. P. - E. C.

S. H. Bolin

Robert L. Wynn another witness of lawful age being duly sworn deposes as follows:

~~XXXXXXXXXXXX~~

I am 38 years old. I was raised on ~~the~~ lands adjoining the lands of Maston Collier and I now live on lands adjoining the same. I am very well acquainted with Mr. Collier's land, and I think said Collier land is reasonably worth \$10.00 per acre, I could't ^{make it} less than that.

And further this deponent saith not.

with 50

Robert L. Wynn

J.P. Shalburn another witness of lawful age being duly sworn deposes as follows:

I am 43 years of age. I was raised and now live in about one and one half miles of the lands of Maston Colliers deceased. I am very well acquainted with said land, I was one of the Commissioners who assigned dower to Mr. Collier's widow and in making said assignment of dower we went carefully over the land and examined its quality. I think it reasonably worth \$10.00 per acre. Last year I bought 14 acres of land of the same quality, and I am confident that the land I purchased is no better than the average of Mr. Collier's land and I paid \$10.00 per acre for it.

And further this deponent saith not.

with 50

James P. Shalburn

THE UNIVERSITY OF CHICAGO PRESS

11. The following appears to be a very old title from 1700:

Yildirim, S. 2006. *Yeni Nesil Bilgi Sistemleri ve İnternet*. Ankara: Bilgi Yayıncılık.

五

I have been thinking about you very much lately.

卷之四

— 1068 —

THE UNIVERSITY OF CHICAGO

Our
Witness

200



Plat of Portion
Mastin Collier
Lands

1900

by
L.M. Carmichael et al.

(1.)

John Callier et al Compts	}	In Chg.
vs		
R. J. Wood et al Deft		

Pursuant to an order of the Circuit Court of Lee County Va dated November 7th 1900. We the undersigned Commissioners namely L. M. Carnieal H. C. Goslynn J. P. Spillburn & S. H. Balin have partitioned the lands of Martin Callier deceased according to the following plat and report.

Valuing the entire real estate at \$6000.00, which consists of two tracts, one known as the home tract and the other the bend. We have laid off and assigned to Mary S. Kidmon Lot No 1. Which is bounded as follows to wit: Beginning at (A) a stake in the public road leading from Jonesville to Shavers Fork and a corner to Lot 2 and with line of same N 39° W 1/4 poles to (B) a stake on the John Callier line thence with lines of his land S 63° W 97 poles to (C) a stake on the Sea Brook line and with the same S 40° E 170 poles to (D) a stake on the south original line and with it and fence N 46° E 33 1/2 poles N 55 1/4° W 10 poles to road and with the same N 44 1/2° E 35 2/10 poles N 3 1/2° E 18 1/2 to the beginning containing 95 Acres more or less.

Lot
1

We have laid off and assigned to John Callier Lots No 2 & 6 the boundaries of Lot No 2 are as follows. Beginning

at (e) a stake in public road opposite a small
oak - and Corner to Lot 3 thence with road
S44 $\frac{1}{4}$ W 17 $\frac{2}{10}$ poles S31 $\frac{1}{2}$ W 12 $\frac{1}{2}$ poles to (a) a stake thence
N39W 141 poles to b/ a stake on the north original
line and with the same N63E 50 poles - pass
ing through a pond to a stake (f) on a line
like and with the same, being the original
line and with a line S69 $\frac{1}{2}$ E 66 poles S68 $\frac{1}{2}$ E 36 poles
S65 $\frac{1}{2}$ E 18 poles to (g) a stake in public road
and with the same S32W 54 poles S85W 18 poles
S8E 20 poles to the beginning - Contain-
ing 5 $\frac{1}{2}$ acres More or less

Lot 6 is bounded as follows:
Beginning at (x) a stake in public
road - Corner to Lot No 7 thence with
a line thence of S21 $\frac{1}{2}$ E 54 poles to i a
stake at the bend of a fence Corner
to R. J Wood land and with line
thence of S27 $\frac{3}{4}$ E 33 $\frac{6}{10}$ poles to a dogwood
thence continuing with original line S64 $\frac{1}{2}$ W
66 $\frac{6}{10}$ poles to (j) Corner to Lot No 5 and with
line of same N23W 110 poles to (k) a stake
in public road and with the same
N76 $\frac{1}{2}$ E 66 poles N64 $\frac{1}{2}$ E 23-189 $\frac{1}{2}$ E 44 poles to the
beginning Containing 41 acres More
or less

We have laid off and assigned to
Emily Boop Lot No 4 bounded as follows
Beginning at M a rock with a red-oak
and Chestnut pointer - Corner to the Spene-
er land and with line of same S6 $\frac{1}{4}$ E
110 poles to a stake in Fincastle road &

with it $N 87^{\circ} 4' W 32$ poles $N 81^{\circ} 2' W 25$ poles to (O) a stake corner to Lot 3 and with a line thereof $N 5^{\circ} 34' W 230$ poles to (P) a stake in public road and with it $N 46^{\circ} 2' E 4^{\frac{3}{4}}$ poles $N 17^{\circ} 4' E 23$ poles to a stake (original corner) and also a corner to Lot 5 and with lines thereof $N 45^{\circ} E 8$ poles $N 36^{\circ} 2' E 18^{\frac{1}{2}}$ poles to (Q) a stake above road & by plank fence thence continuing with lines of said Lot 5 $S 36^{\circ} E 104$ poles $N 81^{\circ} E 44^{\frac{3}{10}}$ poles $N 71^{\circ} E 26$ poles to (I) a stake corner to Lot 6 thence with original lines $S 12^{\circ} 2' E 31^{\frac{1}{2}}$ poles to a rock & Chestnut & a pond $S 64^{\circ} 3' W 117^{\circ} 4'$ poles to a spotted oak $S 6^{\circ} 4' E 25$ poles to the beginning. Containing 120 acres More or less

We have laid off and assigned to Sarah Callier Lot No 5 bounded as follows Beginning at (r) a Chestnut corner to the Wynn Land, and on the North side of the road that goes up the hollow, thence with Wynn's line $S 17^{\circ} 4' W 14^{\frac{36}{100}}$ poles to (s) a poplar thence leaving Wynn's line $S 36^{\circ} E 12^{\circ}$ poles to (a) a stake above public road and by a plank fence thence $S 36^{\circ} 2' W 18^{\frac{1}{2}}$ poles $S 45^{\circ} W 8$ poles to (s) a stake original corner thence with the Wynn or original line $N 17^{\circ} 2' E 30^{\frac{1}{2}}$ poles to s' said poplar thence $S 36^{\circ} E 104$ poles to (t) a stake in a field $N 81^{\circ} E 44^{\frac{3}{10}}$ poles $N 71^{\circ} E 26$ poles to (I) a stake original corner thence $N 23^{\circ} W 110$ poles to a stake (K) in the public road thence with original lines $S 76^{\circ} 2' W 42$ poles $N 85^{\circ} 34' W 16$ poles to a white

Lot
5

Stump original corner S 67° W 19 $\frac{1}{2}$ poles to the beginning Containing 52 $\frac{1}{2}$ acres and excepting from this boundary $\frac{1}{4}$ acres for a family grove yard around the present site

We considered each of the four foregoing shares described to be \$1863.99 in value.

Lot 3 We have laid off and assigned to Harriette V. Sally Lot No 3. which we consider in value equal \$425.01 and bounded as follows Beginning at ~~u~~ original corner ~~on~~ (tree & stake) on the Fincastle road thence with said road S 81 $\frac{1}{2}$ ° E 21 poles to (p) a stake thence leaving road N 5 $\frac{3}{4}$ ° W 230 poles to (p) a stake in the Shavers-ford public road thence with same S 46 $\frac{1}{2}$ ° W 34 poles to (g) a stake at the mouth or end of a lane thence continuing with public road S 82° W 54 poles S 85° W 18 poles S 88° 20 poles to (e) a stake opposite a white oak original corner thence leaving road & with lines original S 50 $\frac{1}{2}$ ° E 73 $\frac{1}{2}$ poles to a chestnut snag original corner thence continuing with original line S 76° 43 poles to the beginning. Containing 55 acres (More or less)

Lot 7 We have laid off and assigned to R. J. Woods Lots No 7 & 8. Lot No 7 is bounded as follows to wit: Beginning at (v) a hickory on public road & corner to R. J. Woods land thence with lines of same S 53° E 8 poles to (W) a stake S 36° W 40 poles S 38 $\frac{1}{2}$ ° W 27 $\frac{1}{4}$ poles to (i) original corner at the turn of the present fence thence leaving original lines N 21 $\frac{1}{2}$ ° W 54 poles to (h) stake

in public road and with the same S81°E
54 poles to the beginning. Containing
10½ acres More or less.

Lot No 8 is bounded in this wise
Beginning at (X) a stake in the public road
& the North west corner of the House lot of R. J.
Woods which adjoins the "Bend tract" thence
with Lane or public road N 14°E 14¾ poles to
(W) a stake thence leaving road N 71°E 100 poles
to a stake on the west bank of Powell's river
thence with same S 75°W 8½ poles to a ~~stake~~ Locust
Corner to said R. J. Woods land and with
lines of same N 85°W 32.8 p S 74°W 26 p S 86°W 28½ p
N 58°W 25.7 p N 24°E 18 p S 83°E 67 p N 31°E 12 p N 24°W 18½ p
S 89°W 12 p to the beginning. Containing
18 acres More or less - we consider the
value of Lots 7 & 8 to be \$254.⁹⁹/₁₀₀

We have laid off and assigned to
Wright Collier Lot No 9 - being a
part of the "Bend tract" - and which
we believe to be worth \$1063.⁹⁹/₁₀₀ and
bounded as follows to wit

Lot
9
Beginning at (Y) a double dy corner on
the West bank of Powell's river. a corner
to Henry Baumgardner's land and with
lines of same - that is the old original lines
of tract N 80°W 12 7/10 poles N 55°W 25 poles N 21°W
12½ poles S 78°W 30 poles to a cedar on the south
bank of road & with the same and original
lines S 63°W 24 p S 55½°W 76 poles to a stake & oak
thence leaving Baumgardner's line and
with original west line of place and nearly

With road S 11 1/4 W 18 3/4 S 16 1/4 E 22 1/2 S 14 W 19 1/4 poles
to (W) Corner of Lot 8 and with line of some
N 71 E 100 poles to a stake at the mouth of a ravine
or drain on the west bank of Powell's river thence
up the river as it meanders 450 p to the
beginning Containing 147 acres More
or less

These Agreements are subject to the
following restrictions - Lot N^o 4 shall
have a lane 20 feet wide next to the fence
along public road to the pond upon Lot
N^o 3 for the use of stock water.

Lot N^o 5 shall have right to bring water
in pipes from spring on Lot N^o 6 along
the present way used for that purpose -

Lot N^o 6 shall have right to haul with
vehicles through Lots 5 & 4 to reach
the public road - Lot N^o 5 shall
have a good broad lane to pond on
N^o 4 for the use of stock to water

All fences running nearly in the
same direction of partition lines and
a reasonable distance from them shall
be placed on them as partnerships
fences

Submitted All of which is most Respect

L. M. Carrick

D. C. Joslyn

J. P. Shullman

J. N. Bolin

Bill of Cost for Last Work

L.M. Carniceal Sur & Comm 6 day @ \$3.00 = \$18.00

H.C. Goslynn Comm @ 2 8,

G.P. Shelburn " " 8,

S.H. Balier " " 8,

Wright Collier Ch 2 1/2 day @ \$1 2.50

John " ex " 2 1/2 2.50

R.F. Wood for boarding Commis

John Collier et al
vs } Comis report & Plats
R. J. Wood et al

Filed Feby 12th 1901

A B Munsey Clerk

Comrs Costs

L M Carmichael 18.00

H. C. Joslyn 8.00

J. P. Shelburne 8.00 per

S. H. Bolin 8.00 per

Wright Callier Chmn 2.50

John Callier " 2.50

R. J. Wood, Boarding 5.24

\$82.24

Clerks to recon 6.00

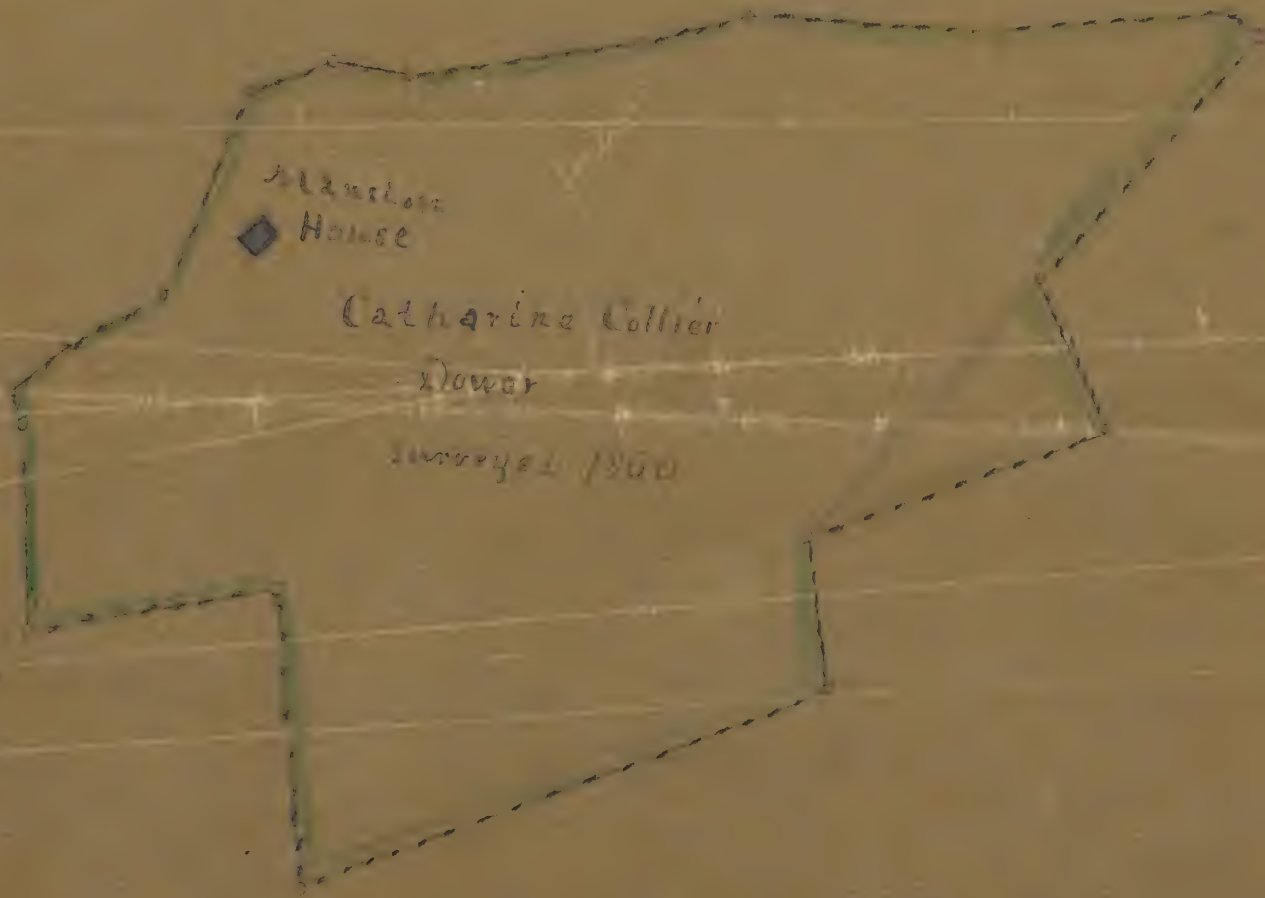
Comrs to assign Dower 40.00

Total \$128.24

Mansion
House

Catharina Collier
Dower

Surveyed 1860



John Collier et al

vs

Jm. Sherry

R. J. Wood et al

Pursuant to an order of the Circuit Court of Bu Co. dated Nov 18th 1899. We the undersigned Commissioners L. M. Carmichael, H. C. Joslynn, J. P. Shelburne and S. H. Bowling have laid off and assigned to Catharine Collier, widow of Mastio Collier deceased, her dower interest in the lands owned by said deceased being, as we believe, equal in value to one third the rental value of the entire lands and bounded as follows to wit: Beginning at a large hickory on the south side of Public road Thence with original lines S 53 E 8 poles to a stake S 36 W 4 1/2 p. S 38 1/2 W 2 7/4 p S 27 3/4 E 33 3/4 p. to a dogwood. S 64 1/2 W 66 1/2 p S 12 1/2 E 3 1/2 p to a chestnut & rock by a pond S 61 W 11 7/2 p to a large ~~shrub~~ oak Thence leaving original C lines and with fences N 10 1/4 W 63 3/4 p S 77 W 53 poles N 5 3/4 W 72 p to end of fence near pond, thence leaving fence N 23 1/2 E 8 poles passing through said pond to stake in said public road and with the same N 40 1/2 E 12 p. N 57 E 23 p ~~thence~~ thence leaving road & with original lines N 17 1/4 E 45 1/2 p

to a low and chestnut in a hollow 4678 19 1/4 p
 to a white oak stump 885 26 16 1/2 p 476 1/2 c 18 3/4 p stone.
 Continuing with original lines 4678 1/2 c 23 3/4 p
 889 1/2 c 53 p 480 846 1/2 poles to the beginning
 Containing (168 1/2) one hundred & sixty eight
 & one half acres more or less

We found the entire lands to be composed of
 two separate tracts, containing 600 acres by
 actual survey. 435 in the home tract and
 165 in the "bend" tract.

The clerks embraces mansion house and
 its adjoining building.

All of which is respect. submitted.

This the 27th of Jan 1806. Inclement
 weather prevented an earlier report

L. M. Carnicel

H. C. Goslyn

com.

J. P. Shelburn

S. H. Bowling

Bill of Cost

Chambers

Comm	{	Kemp's Hall 1 day	\$1.00	}	paid
		John Hall 1 "	\$1.00		
		Gate stump 3 "	\$3.00		
		John Collis 2 "	2.00		
		Rosehart Wood 1 "	1.00		
{	H. C. Goslyn 2	4.00	paid	R. J. M. & Son	
	J. P. Shelburn 2	4.00			
	H. S. Bowling 2	4.00			
Carnicel sundry		6	18.00		
H. J. wood for Board			2.00		paid
			5	40.00	

To the Honorable H.A.W.Skeen, Judge of the Circuit Court of Lee County,
 Your undersigned Commissioner, begs leave to report, that pursuant
 to the terms of a decree entered in the Chancery Cause of John
 Collier and others against R.J.Wood and others, on the 17th day of
 November 1899, pending in your honor's Court, that he on the 5th
 day of February 1900, at the Law office of R.L.Pennington, in the Town
 of Jonesville, proceeded to perform the duties required of him under
 said decree, after having given the parties in interest and their
 Attorneys due notice, and by posting a copy of said decree at the
 front door of the Court House of Lee County, with notice of the time
 and place of my sitting attached, all of which is filed herewith.
 And my sitting has been regularly adjourned from day to day until
 finally completed, and I report as follows:

1st' I have ascertained the advancements to the beneficiaries, prior
 to the date of the will of Maston Collier dec. with interest calculat-
 -ed thereon to the date of his death, Sept. 28th '1899 to be as follows:

To Mrs. R.J. Wood-----	\$1451.48
""""Harriet V. Sally,-----	\$1281.62
""""Mary A. Skidmore,-----	\$ 352.92
""""Emily Roop,-----	\$ 257.13
Total amount of advancements,	<u>\$3343.15.</u>

(See depositions of R.L.Pennington and others and statement filed
 therewith, marked "depositions")

I have ascertained the personal estate in the hands of R.L.Penning-
 -ton, Executor etc. to be, not counting the advancements, --\$4953.91
 Value of real estate, 600 acres at \$10.00 per acre, -----\$6000.00
 Total value of real and personal estate, including
 advancements,-----\$14297.00
 Deduct estimated costs of suit, administration, taxes,
 etc.-----\$528.91
 Widow's one-third of personal estate-----\$1475.00
 Value of dower as per table of annuities, 2043.91 \$463.00 \$2466.91
 Total balance of personal and real estate for
 distribution under said Testator's will,-----\$11830.15

to each an equal share in the real estate, subject to the said dower
, and each share valued at, -----\$1107.40
And when this is done all the Devisees will have been made equal
in the distribution and partition of said Maston Collier's whole
estate, and the widow Catharine Collier will have likewise received
her legal portion of said estate.

I have taken several depositions in this cause, on which I have based
my conclusions, and which are filed with this report marked "deposition
AS to the Third in quiry in the decree under which I am acting,
I have not ascertained the indebtedness of the decedent, as the Exec,
stated to your Commissioner that the decedent owed no debts at the
time of his death, but there was a claim presented before me by
Thomas J Ely, which was resisted and objected to by the ~~Executor~~ and
your Commissioner being of the opinion that the pleadings in this
cause did not justify litigation of that kind, I did not pass on the
claim at all, but left the party to his remedy by independent suit.
I wish to further state that I am doubtful as to the amount of
\$528.91 the estimated costs etc. being sufficient to cover all costs
of this suit, taxes, and costs of administration, but the Executor
will have sufficient funds in his hands to cover the whole matter of
costs when the exact costs etc. is ascertained and if my estimate is
not sufficient, the Executor can retain enough of what is going to
each of the Devisees, equally to cover the balance.

All of which is respectfully Submitted.

M. G. Ely, Commissioner

Virginia, Lee County To wit:

I, M. G. Ely, Commissioner, do certify that I have been engaged in
taking, stating, and making up this account not less than Thirty
five hours, and therefore charge \$.26.25. Given under my hand this
Feb. 9th '1900.

M. G. Ely

Sworn to before me by M. G. Ely. This Feb. 9th '1900.

James W Orr
Commissioner in Chancery

This report is expected to become the com-
missioner failed to comply with the
terms of the decree and did not pass
upon a claim presented before him by
J. J. Ely, and your right to the same
should be recommended this March 8, 1900.

H. L. Stoddard, Atty,
for J. J. Ely,

RECEIVED
MAR 10 1900
U. S. DEPT. OF THE INTERIOR
BUREAU OF LANDS
WASHINGTON, D. C.

TO THE COMMISSIONER OF THE GENERAL LAND OFFICE
FROM THE ATTORNEY AT LAW
H. L. STODDARD
FOR J. J. ELY

SIR:

I have the honor to acknowledge the receipt of your letter of the 2nd inst. in relation to the claim of J. J. Ely for the land described in the within-enclosed copy of the original application for a patent therefor, and in reply to inform you that the same has been forwarded to the proper authorities for their consideration.

I am, Sir, very respectfully,
Yours very truly,
H. L. Stoddard, Atty,
for J. J. Ely.

John Collier et al, Complt.

vs. Report of commissioner

R.J.Wood, et al, Defts.
.....

Filed. Feby 8, 1900.

A.B. Murray clerk

.....

E.W. PENNINGTON.

ROBT. L. PENNINGTON

Pennington Bros.

ATTORNEYS AT LAW,

JONESVILLE AND PENNINGTON GARVA.

In the name of God. Amen. I, Mastou
Collier. Gentleman and a citizen of Lee
Co. Va. being of sound mind, but now
growing old in years and realizing the
uncertainty of life & the certainty of
death, and having been blessed with
a reasonable portion of this worlds
goods, do make, constitute, ordain &
publish this my last will and testament
as follows; First, I commend my
soul into the hands of the God who gave
it, trusting and as assuredly believing
that, through the merits of our Lord
& Saviour Jesus Christ, to inherit
Life eternal. Secondly, I desire that
my body be decently buried in a
manner corresponding with my
situation in life & my estate, but
without needless or extravagant
expense to be paid for by my executor,
hereinafter named, out of the proceeds
of my personal estate. And as to such
worldy goods & estate as I may die
possessed of or entitled to. I devise &
bequeath as follows:

1- First, I direct that my executor, as
herein after named shall out of the
proceeds of my personal estate, pay

all my just debts.

2. Secondly, having advanced to my daughter Rebecca J. Wood the sum of Eleven Hundred + Fifty Dollars on the 1st day of Sept. 1895, and to my daughter Emily Roop the sum of Two Hundred Dollars on the First day of Jan'y. 1895 and to my daughter Mary Roop the sum of Three Hundred + Ten Dollars on the 1st day of Jan'y. 1895; and to my daughter Harriet L. Sally the sum of Seven Hundred + Fifty Dollars as of Dec. 3rd 1887. I desire that Interest be counted on these several sums from their several dates to the date of my decease + that these said several sums with their interest be added to the total value of my estate not heretofore disposed of, + that the sum of these said several advancements + the value of my whole estate, after the payment of my debts + funeral expenses be divided into seven (7) equal shares; one Seventh ascertained as aforesaid lies the sum of her said advancement with its interest to the date of my decease. I devise + bequeath unto my daughter Rebecca J. Wood; one seventh as ascertained

as aforesaid, less the sum of her advancement & its interest to the date of my decease I devise & bequeath to my daughter Emily Roop; one seventh as ascertained as aforesaid, less the sum of her said advancement & its interest. I give, bequeath & devise to my daughter Mary Roop; one seventh as ascertained as aforesaid less the sum of her said advancement with its interest to the date of my decease. I devise & bequeath unto my daughter Harriet V. Sally; one seventh as ascertained as aforesaid. I devise & bequeath unto my daughter Sarah Collier; one seventh as ascertained as aforesaid. I devise & bequeath unto my son John Collier; one seventh as ascertained as aforesaid. I devise & bequeath unto my grand-son, Wright Collier who is the son of my son John Collier.

3-Thirdly, I appoint R. L. Pennington as executor of this my last will & testament who before entering upon his duties as such, shall execute bond as the law requires. Witness my hand this the 3rd day of February 1896.

Mastou^{his} Collier.
mark

Signed & published by Maston Collier, as
and for his last will in the presence of
us, who in his presence, & in the presence
of each other, have herunto subscribed
our names as witnesses.

S. V. F. Richmond.

Robt. L. Pennington.

Virginia.

At a County Court begun and
held for Lee County, at the Court-house
thereof, on Monday the 16th day of October 1899.
The last will and testament of Maston
Collier was this day produced in Court
and said will was proved by the oaths
of S. V. F. Richmond and Robt. L. Pennington
the two subscribing witnesses thereto, who
also proved the execution of said will
by the testator in their presence and that
they each signed said will as attesting
witnesses thereto at the request of the
testator and in his presence they all
three being there present together at the
same time. Thereupon said will is
ordered to be recorded. And thereupon on
motion of R. L. Pennington the Executor
named in said will who made oath
as the law directs and entered into and

acknowledged a bond in the penalty of Eight thousand Dollars, conditioned according to law, with Henry J. Morgan and Henry C. Joslyn his sureties therein (the Court of his own knowledge being satisfied as to their sufficiency) a certificate is granted the said R. L. Pennington for obtaining a probate of the said Will of the said Maston Collier deceased in due form and the said bond being acknowledged by the obligors, is ordered to be recorded.

A Copy, Teste: B. M. Morgan Clerk.

A Copy Teste: B. M. Morgan Clerk.

Last Will & Testament
of
Mason Collier.

1886
Clerk 80c

To Mr. L. T. Hyatt, Assistant Commissioner of accounts for the County Court for Lee County, Virginia.

The undersigned, Robert L. Pennington Executor of the last will of Maston Collier deceased, begs leave to report that on the 28th day of October, 1899, he proceeded after having given the ordinary notice thereof, to make sale of the personal effects of the said decedent on 12 Mos. time except sums of less than \$5.00 with the following result to wit:

To Catherine Collier:

1 mare, named Kate	10 00
1 Cow,	13 00
2 hogs,	4 00
1 Sow	2 00
Lot of old shop tools,	1 00
1 Saw	50
1 plow	50
1 rake	2 00
1 lot of hay,	2 00
1 wagon	5 00
1/2 set of harness	50
1 old wagon	50
1/2 interest in cane mill	1 00
1 wheat Cradle	50
100 bushels of corn, at 15¢	15 00
25 bushels of short corn at 7 1/2¢	1 87
2 bee hives	1 00

60 37

To Mary A. Skidmore:
 1 mare (filly)
 2 bee hives

10	00	
	50	
<hr/>		10 50

To T. J. Ely;

1 heifer
 1 heifer
 1 old cow,
 1 cow
 1 cow
 1 cow
 1 cow
 1 cow

15	75	
13	25	
5	00	
4	25	
13	00	
3	00	
3	00	
2	50	
<hr/>		49 75

To J. W. M. Ely

1 calf
 1 calf

10	00	
8	00	
<hr/>		18 00

James Wilson
 1 Steer (cash)

26	32	
<hr/>		26 32

To Emily Roop,
 6 Sheep

17	00	
<hr/>		17 00

To Wright Collier,
 2 bee hives

50 Shocks of fodder
 6 Sheep
 1 hog
 75 bush of corn at 15¢

1	00	
1	00	
13	00	
5	25	
11	25	
<hr/>		31 50
		213 44

Amount brot. over,			213	44
To Morgan Williams,				
1 hog	2	00		
1 plow	3	80		
1 hog	2	25		
10 bush. wheat, at 64¢	6	40	14	45
To A. L. Pridemore,				
9 shoats (cash)			13	16
To John Hall				
Due half interest in X cut saw,				05
To France Hobbs,				
1 hog (cash)			4	95
To France Burk,				
25 bushels of wheat, at 71¢	17	75		
1 saw		15		
old wagon tire,		25		
old saddle,	1	00	19	15
To W. W. Wood,				
20 bush. wheat, at 60¢			12	00
To John Collier,				
1 mowing machine	2	50		
3 plows		50		
wheat Cradle		5		
1 Sulkey plow,	2	50		
100 bushels of short corn at 23¢	23	00		
2 bee hives	1	50		
1 old buggy	17	00	47	05
To W. J. Byington:				
25 bush. corn at 36 1/2¢	9	12		
25 bush. corn at 35¢	8	75	17	87
J. F. Skaggs,				

25 bush. Corn at 35¢	8 75		
1 hog	6 00	14 75	
To Harriet Sally			
one half interest in big plow		2 00	
To Henry Martin			
15 3/8 bush. corn at 34¢	5 30		
21 bush, at 16 1/2 ¢ short corn	3 46		
100 3/8 bush. Corn at 37¢	37 20	45 96	
To John Kirk;			
50 bush. Corn at 37¢	18 50	18 50	
David B. Byington;			
21 bush Corn at 36 ¢		7 11	
To J. A. S. Hyatt			
1 Straw-Stack	2 00		
87 Shocks fodder at 3¢	2 61	4 61	
To James Edwards,			
5 sheep		8 25	
To Frank Wilson			
1 Steer (Cash)		22 02	
		465 32	

Robt. L. Remington Exr.
 Virginia Lee County Court.
 I, L. T. Hyatt, Assistant Commis-
 sioner of Accounts for the County
 Court of said County, do certify
 that the foregoing sale bill of the
 personal estate of Master Collier
 deceased, has been inspected by
 me; that the same is in proper
 form; and that said sale bill
 is approved by me for recordation.

Given under my hand this the 22nd
day of January 1900.

L. T. Hyatt Asst. Comm. of
Accts. for Les. Court Lee Co.
Virginia, Lee County to wit:

In the Office of the Clerk of the
County Court for said County, the
22nd day of January, 1900. This
Sale bill was presented and
together with the Certificate thereto
annexed, admitted to record.

Teste: B. M. Morgan Clerk,
A Copy, Teste: B. M. Morgan Clerk.

Robt. L. Pennington
of } Sale Bill, ^{Exr.}
Martin Collier's Est.

Copy -
for Co. C. 90¢

40
80
1.65
3.35

List of notes due the Estate of Martin

		Cession of the date of his death, Sept 26, 1899		
		Regard'd Safe by the Ex. of said Est with Int.		
		Account down to Sept 26, 1894		
Nov	8 1887	Note due by L. M. Burk	100 00	
		Int-	1 130	
May	16 1848	Note due by some	51 38	
		Int-	2 54	
Nov	8 1887	Note by some	50 00	
		Int-	5 65	
Nov	9 1847	Note due by M. C. Monaghan	150 26	
		Int-	16 45	
July	27 1899	Note due by J. P. Kelly	50 00	
		Int-	2 00	
Nov	28 1848	Note due by D. K. Jessen	175 38	
		Int-	15 77	
May	6 1844	Note due by some	61 33	
		Int-	1 40	
July	15 1897	Note due by H. Kilboam & Co	250 00	
		Int-	2 400	
Nov	14 1844	Note due by M. C. McClure	128 00	
		Int-	4 10	
July	4 1840	Note due by F. M. McConnell	245 5	
		Int-	3 79	
Dec	2 1846	Note due by H. P. Kelly	85 20	
		Int-	14 87	
Aug.	27 1848	Note due by some	25 00	
		Int-	13 7	
July	8 1849	Note due by John Hobbs	60 00	
		Int-	2 28	
Nov	15 1847	Note due by J. H. Hobbs	80 00	
		Int-	12 16	
Jan	17 1848	Note due by J. E. Gibson	30 00	
		Int-	3 03	
July	9 1847	Note due by A. S. Cox	45 00	
		Int-	6 00	
Sept	20 1849	Note due by G. W. Shubert	130 00	
		Int-	13	
Aug	25 1843	Note due by H. P. Brown	250 00	
		Int-	9 120	
Oct	6 1847	Note due by S. P. Hart	55 52	
		Int-	4 20	
Oct	6 1847	Note by "	35 52	
		Int-	4 20	
April	2 1840	Note due by M. C. Brown	150 00	
		Int-	84 20	
Nov	9 1841	Note " " "	48 15	
		Int-	23 60	
Dec	17 1884	Note " " "	90 00	
		Int-	52 79	
July	24 1897	Assignment on some	334 47	
		Note on G. W. Gibson	200 00	
		Int-	31 00	
Dec	1 1847	Note " A. L. Humphreys	30 00	
		Int-	3 24	
			<hr/>	
			3076 53	

		Prof-russ	307653		
Aug 25	1890	Note au Perry Roof	2500		
		Int-	1362		
June 5	1894	Note au A.S. Roof-	6000		
		Int-	2064		
Oct 13	1894	Note au A.S. Roof	12148		
		Int-	3069		
Feb 26	1895	Note " A.S. Roof	9036		
		Int-	2475	35292	
Aug 23	1894	Mary A. Skidmore	5000		
		Int-	23-		
Dec 18	1892	Note due by R.C. Roof	1502		
		Int-	517		
Sept 1	1882	Note due by R.C. Roof	1000		
		Int-	1020		
June 22	1892	Note due by R.C. Roof	11197		
		Int-	4162	19398	
		R.C. Roof au oak-	20800		
May 8	1895	Note due by R.C. Roof,	5000	5080-	
		Int-	1313-	63.15	
Aug 5	1895	Note due by R.J. Wood	116272		
		Int-	28876	145148	
Aug 21	1894	Note due by R.A. Woodard	23538		
		Int-	117		
Sept 26	1898	Note due by R.J. Wood Bond	19760-		
		Int-	1175-		
Dec 15	1896	Note due by Some One	5391		
		Int-	268	50254	
June 20	1894	Note due by G.W. Remington & Co.	10000		
July 20	"	" " "	10000		
Dec 1	1896	" " " John S. Carmona	4523		
		Int-	760		
Jan 15	1896	Note due by R.D. Wynne	5782		
		Int-	1265-		
Apr 14	1890	Note au O.K. Iron Company	10000		
Dec 3	1887	Hometh T. Sully Charge- in Wice	75000	128162.	
		Int-	53262	130300	
Aug 23	1894	Note due by Some	14723	235173	
Aug 23	1899	" " " "	4218		
		Int on 2 Cert	94		
		Out of Sale here	46532		
			829706		

"A. B. C."

A. H. Pennington's Dep.

To L. T. Hyatt, Assistant Commr. of
Accounts for the County Court of Lee
County, Virginia:

The undersigned appraisers
appointed by order of the County Court
for Lee County at the October Term
1899, thereof to appraise the personal
estate of Martin Collier deceased, beg
leave to report that on the 19th day
of October 1899, after being duly
sworn, they proceeded to make the
required appraisements, which are
as follows, to wit, -

1 Black mare (named Kate)	25.00
1 Yellow mare five years old	20.00
2 pens Hay in barn	15.00
$\frac{1}{2}$ interest in Cane mill	5.00
17 Sheep @ \$2.50	42.50
1 milk cow (roan)	20.00
2 Steers	40.00
2 Heifers	30.00
2 Calves	20.00
1 Old cow	7.50
1 Lot Corn in Bu. in field (assorted) @ 30c	
1 " " " " " (short) @ 15c	
1 " Top fodder @ 5.00 per shock	
1 Mowing Machine & Rake	10.00
1 Old Buggy	15.00

1 Old wagon No. 1	12	50
1 Old wagon No. 2	5	00
1 Riding plow	5	00
2 Oliver Plows	3	00
2 Scythe & Cradles	1	50
Lot single plows complete with whiffle trees	2	00
2 Double Shovel plows	2	00
1/2 Set double harness	2	00
1 Set plow gears		50
1 Old saddle and bridles	1	00
1 Lot corn in crib @ 30c per bu.		
7 Stock Hogs	21	00
9 Small pigs	9	00
1 Broad Sow	7	50
5 Fat hogs	25	00
8 Bee Stands	16	00
1 Lot wheat about 60 bu. @ 50¢		
2 X Cut Saws	2	00
1/2 interest in a X cut saw		50
	368	00

List of Notes due Maston Collier.

1 Note on G. V. & L. C. Shelburne for due one day after date & dated Sept. 20 th , 1899.	130	00
2 Note on L. M. Burk for Int. from date & dated Nov. 8 th , 1899.	50	00

- | | | |
|----|---|--------|
| 3 | Note on L. M. Burk, Novr. 8 th 1897,
Int. from date, executed to Rebecca
Claroson as bal. on land, assigned
by her to R. J. Wood + by R. J. Wood
to Martin Collier for | 100 00 |
| 4 | Note on A. K. + Mattie W. McClure for
dated March 14 th 1899 + due Twelve
months after date, with Int.
from date. | 128 00 |
| 5 | Note on Daniel B. Byington for
due one day after date + dated
Oct. 16, 1890 Cr. 50c | 9 16 |
| 6 | Note on A. J. Bungardner for
due one date after date + dated
Jan. 14 th 1896. | 13 82 |
| 7 | Note on J. K. P. Barou for
due one day after date + dated
Aug. 25 th 1893, | 256 90 |
| 8 | Note on Charles N. Ely and J.
R. Ely, for
due 12 months after date +
dated 6 th July 1889. | 100 00 |
| 9 | Receipt from Deuceau + Hyatt
Atty. for note on S. E. Arey +
S. P. Graham for
dated April 26 th 1884, date of
recpt. 23 rd May 1896. | 80 00 |
| 10 | Note on N. S. Cox + Silas Garrett for | 48 00 |

- due one day after date + dated July 9th 1891
- | | | |
|----|---|--------------------------|
| 11 | Note on H. C. Frigate for
due one day after date + dated
Aug. 13 th 1888 Cr. Feb. 7, 1889 Cash
\$5.00 June 13 th 1889 \$10.00. | 17 50 |
| 12 | Note on C. A. Collins, H. C.
Collins and Thos. J. Ely as
security, for
dated Feb. 20 th 1883 Int. from date
Subject to Credits as follows:-
May 20 th 1884 \$8.00, May 12 1885 \$5.00
Nov. 3 rd 1886 \$4.00 Feby 2 nd 1886 \$8.00
+ Aug. 18 th 1888 \$5.00. | 40 00 |
| 13 | Note on V. D. Haynes for
due one day after date + dated
March 17 th 1899 | 29 16 |
| 14 | Note on J. E. Israhau for
due one day after date + dated
Jan'y 17 th 1898, | 30 00 |
| 15 | 3 Notes on M. C. Parsons as shown
by recpt. of A. M. Boins Corer.
as follows:
One Note dated April 2 nd 1890 for
" " " Nov. 9 th 1891 "
" " " Decr. 17 th 1889 Int.
from Aug. 1 st 1890 | 150 00
48 15
90 00 |
| 16 | Note on J. H. Hobbs for | 80 00 |

	dated March 15 th 1897 Interest from date		
17	Note on Zion Hobbs for dated Feby 8 th 1899, Interest from date,	60	00
18	Note on W. T. Killy for dated Decr. 2 nd 1896, Int from date	85	20
19	Note on W. T. Killy for dated May 27 th 1898 Int. from date.	25	00
20	Note on D. L. Jesse for dated March 24 th 1898 Int. from date.	175	38
21	Note on W. B. Kilbourne & D. L. Jesse for dated Feby 15 th 1897 Int. from Feby 15 th 1898.	250	00
22	Note on D. L. Jesse for dated May 6 th 1899, Int. from date.	61	33
23	Note on J. P. Kelly, Eliza J. Kelly & Zion F. Hobbs for dated Feby 27 th 1899 + Int. from date.	50	00
24	Note on H. F. Lamingham for dated Aug. 8 th 1898, Int. from date	25	00
25	Note on M. C. Moneykin for dated Novr. 9 th 1897, Int. from date.	150	26
26	Notes on M. L. Richmond as shown		
27	by H. J. Morgan's Receipts as follows:		
	One note dated Novr. 6 th 1876 for	100	00
	" " " Aug. 1 st 1883 "	241	32

- See Commr. J. W. Orr for credits.
- 28 Note on F. M. M^cConnell for 55-00
 dated Feby 4th 1890. Int. from date
 Credits. March 24th 1893 \$10.00
 July 21st 1893 \$20.00, March 11th 1897
 \$20.00.
- 29 Note on A. H. Martin + M. B.
 Martin for 100 00
 dated Jan'y 21st 1890. Int from
 date.
- 30 Notes against James M. Money-
 him as follows:—
 Acc Note dated Aug, 23rd 1885 for 215-00
 " " " Jan'y 1st 1877 " 15-00
 Rec'd by M. C. Moneyhim to file
 before James M. Moneyhim
 Admr. See same for credits
- 31 Note on John S. Parsons for 45-23
 dated Decr. 1st 1896, Int from date
- 32 Note on W. W. Pennington + A. K.
 DeBusk for 100 00
 dated July 20th 1899, Executed to
 R. J. Wood + Sons + assigned to
 Martin Collier. Int. from Oct. 20, 1899
- 33 A like note on W. W. Pennington +
 A. K. DeBusk as security dated
 June 20, 1899 for 100 00

	Int. from Sept. 20 th 1899.	
34	Note on Asa G Roop + J. W. Roop for	121 48
	Int. from 23 rd Octo. 1894	
35	Note on L. C. Roop + C. F. Roop for	18 00
	Int from Decr. 18 th 1893 Cr. Decr. 27 1893 \$3.00	
36	An order to Pat Woods by L. C. Roop for	25 00
	dated May 17 th 1897.	
37	Note on A. G. Roop + J. W. Roop for	90 36
	Dated Feby 26 th 1895; Int on day after date.	
38	Note on Martin Roop for	57 33
	dated Decr. 18 th 1897. Int from Novr. 1 st 1898.	
39	Note assigned to Martin Collier by M. C. Moneyham + L. C. Roop for	50 00
	dated May 18 th 1885. Int. from date	
40	Note on Perry Roop for	25 00
	dated Aug. 25 th 1890. Int. from date	
41	Note on Asa G Roop for	60 00
	dated Janry 3 rd 1894. Int from date	
42	Note on L. C. Roop for	111 97
	dated June 22 nd 1893. Int from date	
43	Note on Daniel Stapleton for	60 70
	dated July 5 th 1897, Int from date	
44	Note on R. J. Wood + sons for	197 65-
	due one day after date + dated	

Sept. 26, 1898.

- | | | | |
|----|--|-----|----|
| 45 | Note on R. A. Wood, R. J. Wood +
W. P. Wood for
Dut. from Aug. 21 st 1899 | 238 | 38 |
| 46 | Note on Mary A. Skidmore for
Dut. from Aug. 23, 1899 | 50 | 00 |
| 47 | Note on Harrett Sally for
Dut. from Aug. 23 rd 1899 | 42 | 18 |
| 48 | Note on Harrett Sally for
Dut. from Aug. 23, 1899. | 147 | 23 |
| 49 | Note on S. L. Waupler for
Dut. from Decr. 1 st 1897. | 30 | 00 |
| 50 | Note on Rev. C. L. Perry + A. W.
Harris for
Dut. from Apl. 14 th 1890. Cr. April
4 th 1891 \$6.00 | 100 | 00 |
| 51 | Note on R. L. Wynn for
Dut. from Jan'y 15 th 1896. | 57 | 82 |
| 52 | Note on S. P. West to R. J. Wood
for
due Mar. 1 st 1902. Dut. from
Oct. 6 th 1897 assigned to Martin
Collier. | 38 | 52 |
| 53 | Note on R. J. Wood + Sons for
Dut. from Decr. 15 th 1897, Credit
By tax Ticket Novr. 27 th 1897
\$37.36 Aut. Novr. 26 th 1898. \$10.51 | 93 | 07 |

54	Note on S. P. West to R. J. Wood for assigned by her to Martin Leulier Due March 1 st 1901. Int from Oct. 6 th 1897	35	52
55	Note on L. C. Roof for dated Aug. 11 th 1882. Int. from Sept. 1 st 1882.	10	00
56	Note on L. M. Burk for Int. from May 16 th 1898	31	38
57	Note on Job Pleasant for Int. from Aug. 7 th 1885. Cr. Sept. 3 rd 1885 - By Work \$50 " Nov. 12 th 1895 - " Com \$9.00	10	50
58	Note on R. J. Wood for Int. from Aug. 5 th 1895. This account is the charge of advancements in will	1162	72
59	Note on J. W. Woliver for Int. from Feby 3 rd 1896	13	16
60	Note on Geo. W. Gion + R. E. Litton for Int. from Feby 24 th 1897.	200	00
61	Assignments from R. J. Wood + sons notes on M. C. Parsons Estate now judgment for On Nov. 18, 1896, Int out \$266.51 from Nov. 1 st 1896, Account against L. C. Roof date not	291	21

given for \$208.00. Subject to a credit
of an order for \$25.00 heretofore
listed against said Roof.

Balance of said Account 185 00
Given under our hands this
date above written.

Appraisers { J. A. G. Hyatt
Henry C. Joslyn
A. C. Williams
S. H. Bolen

Virginia, Lee County Court:

I, L. T. Hyatt, Assistant Com-
missioner of Accounts for the
County Court of said County, do
certify that the foregoing appraise-
ment has been inspected by me;
that the same is in proper form;
and that said appraisement is
approved by me.

Given under my hand this the 1st
day of November 1899.

L. T. Hyatt Assistant Commr.

Virginia, Lee County Court:-

In the Office of the Clerk of the
County Court for said County, the
1st day of November 1899. The foregoing
appraisement was presented and

With the Certificate annexed, admitted
to record.

Teste: B. M. Morgan Clerk.
A Copy, Teste: B. M. Morgan Clerk.

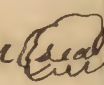
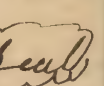
Appraisement Bill
of
Martin Collier.

Clerk 1.63-

This deed made this 12 day of April in the year 1881.
Between Elijah Turner & Sarah Turner his wife of Lee
County in the state of Virginia, ^{the first part} And Martin Colier of
said County of the second part. Witnesseth that in consideration
of the sum of one hundred & sixty dollars paid to Alexander
K. Turner we the parties of the ~~first~~ part do hereby grant
bargain sell & convey to the said Colier a certain lot or
parcel of land, lying & being in the said County of Lee,
on the South side & by the Turkey cove road. East of Joneville^{Al}
containing about 20 acres more or less. and bounded
as follows. Beginning at a white oak South side of
at the Turkey cove road thence South with Martin Coliers
line 114 poles to a chestnut tree. Thence, N, 52° W. 73
poles to a white oak at said Turkey cove road
thence Eastward with said old road 80 poles to the
beginning. to have & to hold the said lot or parcel of
land, with all its appertinances to the said Colier forever
and said parties of the first do warrant generally to said
Colier the land herein conveyed.

Witness the following signatures and seals.

Virginia

Elijah Turner 
Sarah Turner 

Lee County Court Clerk's Office July 18th 1881.
The foregoing deed bearing date on the 12th day
of April 1881, from Elijah Turner wife of the first part
to Martin Colier of the second part all of Lee County Va.
was this day acknowledged before me, by the said Elijah -

Lurmer, and wife, to be shown and read for the purposes
 therein mentioned, and the said Sarah Lurmer wife of the
 said Elijah Lurmer, being examined by me privately and
 separate from her husband, and having
 the deed aforesaid read and explained to her, acknowledged
 that she had willingly signed & executed the same and
 does not wish to retract it. Witness my hand & seal
 is attested to be correct.

John P. Gibson

Col. H. Lee County, Ga.

Arthur Collins
 John Reed
 Wm. L. Lurmer
 Wm. L. Lurmer
 Wm. L. Lurmer
 Wm. L. Lurmer

27 1/2
 1 3/4
 4 1/4

5 1/2
 2 1/4
 3 1/4

117, 137-154
 100

This deed made this the 27th day of January, 1881,
by and between M. C. Parsons and Mary M.
Parsons of the first part, and Martin Collins
of the second part all of Lee County, State of
Virginia, Witnesses; That for and in
consideration of the sum of One thousand
dollars, in hand paid, the parties of the
first part doth grant, bargain and sell
to the party of the second part a certain
tract or parcel of land lying and being in
the County and State aforesaid, it being a
part of the farm which the said M. C. Parsons
bought of Henry Milbourn, lying about five
miles from Lee Co. H. on the S. E. Side of the
Jameville and Gladewille road from the
Milbourn Mill, and bounded as follows
to-wit: Beginning at a double Sycamore
on the West bank of Powell's river; thence
N. 81 W. 12 poles to a red elm and buck-eye
N. 86 W. 26 poles to a rock N. 24 W. 12 poles
to a Sycamore near Shavers Creek, S. 38
W. 2 poles to a Stake, thence with the fence
S. 71 W. 20 poles S. 84 W. 10 poles to a
Stake N. 11 W. 2 poles Crossing Sha-
vers Creek to a Cedar on the North
bank of said Creek, thence with the
Pinecastle road S. 55½ W. 100 poles to
a large white oak on the South bank

of said road, thence with the road
that runs Southward passing Thomas
Levitt's house S. 13 W. 14 poles to a Stake in
said road, S. 5 E 76 poles to a Stake in
said road near said Levitt's Stable,
N. 83 E 13 poles to a rock, S. 3 E. 18 1/2
poles to a rock, S. 31 W. 12 poles to a rock,
N. 84 W 7 poles to a rock on the edge
of road, thence S. 24 1/2 W. 18 poles to
a black oak bush S. 59 E 27 poles to a
Stake in the Broad Hollow, thence
down said hollow as it Meanders
N. 63 E, N. 72 E, N. 89 E to a Stake near
Lynsey's house, thence leaving said
hollow N. 73 E. to a locust on the
west bank of Parrell's river thence up
and with said river as it Meanders
to the Beginning with all its appurtenances
therunto belonging to have and to hold
forever. Except the privilege herefor
granted to Henry Bangardner to build
a Mill race from the first Mill along
the side of the hill to the said Mill.
Witness the following signatures and
seals this day and date above
written.

M. C. Parson, *Clk*
Mary H. Parson, *Clk*

Pinia Co County Court Clerk Office Jan 27th 88.
The foregoing deed bearing date on the 27th day of Jan
1881 between W. C. Parsons and Mary W. his wife of
the one part, and Master Ballin of the second
part, all of the County of Pinia, was this day
acknowledged before me in my office by the
said W. C. Parsons to be his act and deed. And
the said Mary W. Parsons wife of the said W. C. Par-
sons being examined in my presence and apart
from her said husband and having the aforesaid
read read and fully explained to her, acknowledged
the same to be her act and deed for the purposes
 therein mentioned and did not wish to retract it.
And said deed is admitted to record.

Test. J. W. Parsons Clerk.

Master Collier
from Deed
W. L. Parsons & wife

Recorded in Deed,
Book 19 Page 230
John C. Orr, D.C.

6/28
1887
1230

This deed made the 9th of December 1897. between
W^m J Stansfer and Rebecca Stansfer his wife of
the County of Lee and State of Virginia of the
one part, and Martin Collier of the aforesaid
County and State of the other part. Witnesseth
that the said W^m J Stansfer and Rebecca Stansfer his
wife, for and in consideration of the sum of
one hundred and ninety three dollars and
fifty cents to them in hand paid the receipt
of which is hereby acknowledged both hereby
grant, bargain, sell and convey unto the said
Martin Collier and his heirs forever, a certain
tract or parcel of Land lying and being in
the County of Lee and State of Virginia, it
being a part of the lands conveyed to the said
W^m J Stansfer by James F Barron and Virginia C
Barron, containing 2 1/2 acres more or less. and bounded
as follows: Beginning at a black oak bush in a line
of Martin Collier's land with the same S 62 1/2° W 1/2°
poles to a white oak and two black oaks corner to Collier's
land. and with his line S 85° E 32 poles to a spotted oak
N 62 1/2° E 1/2° poles to a chestnut on the east side of a
road 7 1/2 W 30 3/4 poles to the Beginning. I have and
to hold the said tract or parcel of land with its appurte-
nances unto the said Martin Collier and his heirs forever.
And we the above named party of the second part will forever warrant
and defend against all claims whatsoever the land hereby conveyed
witness our hand and seal. William J. Stansfer (Seal)
Rebecca Stansfer (Seal)
mark

State of Virginia, County of Lee, to wit: I, John B. West, a
Notary Public for the County aforesaid, in the State of Virginia, do
certify that William J. Standerfer, whose name is signed to the
foregoing writing, bearing date on the 9th day of December 1879,
has acknowledged the same before me in my County aforesaid.
Given under my hand, this 9th day of December 1879.

John B. West, N. P.

Virginia, Lee County Court, Clerk's Office, January 5th 1880.

The foregoing deed from Wm J. Standerfer & wife, of the one
part, to Martin Collier of the other part, all of Lee County afore-
said, is this day admitted to record upon the Certificate of
John B. West, a Notary Public in & for said County & State.
Teste James H. Crook, Clerk

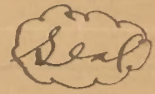
State of Virginia, County of Lee, to wit:
I, John B. West, a Notary Public for the County
of Lee, in the State of Virginia, do certify that
Rebecca Standerfer, the wife of William J. Standerfer,
whose name is signed to the foregoing writing,
bearing date on the 9th day of December 1879, has
solely appeared before me in the aforesaid County, and
being examined by me, she has acknowledged the same
before me, and has signed the same as her own deed.

Recorded in Dec
Book No 18 p 571-2
Teste Jas. H. Crook

and I, the said Rebecca Standerfer, do hereby
acknowledge the said writing to be her act, and declare
that she has willingly executed the same, and
does not wish to retract it.
Given under my hand this 9th day of Decr 1879.
John B. West, N. P.

571-25
100
571-25
100

8462.54

Due Thomas J. Ely admr. Henry Thompson
 son deceased the sum of four hundred
 and sixtytwo dollars & 54 cts for value re-
 ceived. and I hereby waive my home-
 stead exemption as to this debt
 witness my ^{hand and seal} ~~above note~~ and sixty
 two dollars and 54 cts of the above note
 is not to be paid until John Leas-
 rett and Lucy Learett his wife
 shall make to Nathan A. Sally a
 deed with covenants of general war-
 ranty for their undivided interest in
 the 178 $\frac{1}{2}$ acre tract of land bought
 by said Sally of Henry Thompson
 in his life time. Dec. 3. 1887.
 signed Martin Collier. 

Credits. 1887 Dec. 1 by cash. \$10.42

Resd. on the within note of M. D.
 Richmond Two hundred & ninetytwo
 dollars & 92 cts, this the 16th January
 1888 as per receipt given.

400
 10
 390
 392.92

62.54
 26
 86.54
 20
 106.54
 14
 2

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon *R. J. Wood, Harriet V. Sally*
Emily Roof, Mary Skidmore, & Sarah Collier
the last named being non Compos Mentis &
Robert L. Pennington Ex'r of the Estate of Martha Collier
to appear at the Clerk's office of the Circuit Court of the County of Lee, at the rules to be held
for the said court, on the *3rd* Monday in *October* 189*9*, to answer a
bill in chancery exhibited against *them* in our said court by *Catherine*
Collier John Collier & Wright Collier

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the
court-house, the *11th* day of *October* 189*9*, and in the 12 *4th* year of the
Commonwealth.

A. B. Munsey Clerk

John Collier et al
 US. { SUBPOENA
 IN CHANCERY

R. J. Wood et al

Pennington Bros p. q.

To 2nd October Rules.

1899 Circuit Court.

The undersigned accept legal notice of the
 within summons. Given under our hands
 this the 11th day of Oct. 1899.

Wm. A. Pennington Esq
 Clerk of Court
 Frank J. Kelly
 Mary J. Kelly
 R. J. Wood

Worcester County

vs. In Chancery
R. J. Wood and

Writ 15-
00
Jury 6-00
Chambers 1-00
R. J. Wood for board 2-25
County Clerk 9-60
\$105-88
A. L. 5-00
\$110-88

Plaintiffs Costs

Clerk 15-78
Tax 1-50
Sheriff 5-00
Atty 15-00
M. G. Ely Comr for act 26-25
Witnesses 2-00
Comrs to Partition 62-00
Chairmen 13-00
R. J. Wood for Boarding Comrs 5-25
County Court Clerk 9-60
\$155-88